

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 TINHO MANG, #322146
tmang@marshackhays.com
3 MARSHACK HAYS WOOD LLP
870 Roosevelt
4 Irvine, California 92620
Telephone: (949) 333-7777
5 Facsimile: (949) 333-7778

6 General Counsel for Chapter 7 Trustee,
ARTURO M. CISNEROS

7
8 UNITED STATES BANKRUPTCY COURT
9
10 CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION

11 In re
12 SHAMICKA LAWRENCE,
13 Debtor.

Case No. 6:23-bk-15163-WJ

Chapter 7

14 TRUSTEE'S MOTION TO ABANDON
15 ESTATE'S INTEREST IN TANGIBLE
PERSONAL PROPERTY ASSETS
LOCATED AT 11364 ESTATES COURT,
RIVERSIDE, CA 92503; DECLARATION
OF ARTURO M. CISNEROS

16
17 [No Hearing Required Unless Requested Per
18 Local Bankruptcy Rule 6007-1 and 9013-
1(o)]

19 TO THE HONORABLE WAYNE E. JOHNSON, UNITED STATES BANKRUPTCY JUDGE,
20 THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

21 Arturo M. Cisneros, in his capacity as Chapter 7 Trustee ("Trustee") of the Bankruptcy
22 Estate ("Estate") of Shamicka Lawrence ("Debtor"), respectfully submits this motion ("Motion") for
23 an order authorizing the abandonment of the Estate's interest, if any, in any and all tangible personal
24 property assets located at the residential real property at 11364 Estates Court, Riverside, CA 92503
25 ("Property"), pursuant to 11 U.S.C. § 554 and Rule 6007-1 of the Local Bankruptcy Rules ("LBR").
26 In support of the Motion, the Trustee respectfully represents as follows:

27 ///

28 ///

1 **1. Summary of Argument**

2 Under Section 554(a), a trustee may abandon any property of the estate that is burdensome or
3 that is of inconsequential value and benefit to the estate. Trustee has determined that the tangible
4 personal property located at 11364 Estates Court, Riverside, CA 92503 (“Property”) is of little or no
5 value or benefit to the Estate or its creditors, to the extent explained herein (personal property does
6 not include fixtures or the home theater items - which Debtor has agreed to leave at the Property
7 irrespective of any arguments that such items are or are not fixtures). Trustee respectfully requests
8 that the Court enter an order abandoning any and all interests of the Estate in the personal property
9 assets located at the Property, with the exception of the items constituting the Property’s home
10 theater, and fixtures including the refrigerator and kitchen stove at the Property, which are built-in to
11 the Property and cannot be removed.

12 **2. Factual Background**

13 On November 3, 2023 (“Petition Date”), Debtor filed a voluntary petition for bankruptcy
14 under Chapter 11 of Title 11 of the United States Code, initiating this bankruptcy case. On the same
15 day, Arturo M. Cisneros was appointed as Chapter 7 Trustee of the Estate. Debtor’s petition was
16 filed without all schedules.

17 On November 17, 2023, as Dk. No. 10, Debtor filed schedules and a statement of financial
18 affairs. Debtor’s schedules listed a 50% interest in certain real property, 11364 Estates Court,
19 Riverside, CA 92503 (“Property”). The Debtor’s schedules listed the Property with a value of
20 \$1,200, and a homestead exemption pursuant to California Code of Civil Procedure § 704.730.

21 On April 9, 2024, as Dk. No. 61, Trustee filed a Motion for Turnover of Property (“Turnover
22 Motion”).

23 On April 11, 2024, as Dk. No. 67, Trustee filed a notice of continued meeting of creditors
24 under 11 U.S.C. § 341(a), with the continued meeting to be held on May 8, 2024.

25 On April 18, 2024, as Dk. No. 71, Debtor filed an amended Schedule A/B and C, which
26 included a \$10,000 exemption claim in “Misc. household goods and furnishings” under “C.C.P.
27 § 704.020”; a \$2,500 exemption claim in household electronics; a \$2,000 exemption claim in
28 exercise equipment; \$1,400 exemption claim in firearms; \$5,000 exemption claim in women’s

1 clothing, shoes, and purses; and a \$4,500 exemption claim in jewelry (and Debtor has provided an
2 itemized list of designer items and jewelry to Trustee) (collectively, “Personal Property
3 Exemptions”). A true and correct copy of Debtor’s amended schedules is attached to the Request for
4 Judicial Notice (“RJN”) as **Exhibit 1**.

5 On April 24, 2024, as Dk. No. 73, Trustee filed a Motion for Sale of Property of the Estate
6 under Section 363(b) (“Sale Motion”). The Sale Motion is set for hearing on May 21, 2024.

7 On May 1, 2024, as Dk. No. 79, the Court entered an order granting the Motion for Turnover
8 of Property (“Turnover Order”). A true and correct copy of the Turnover Order is attached to the
9 RJN as **Exhibit 2**. The Turnover Order provided that Trustee is entitled to possession of all personal
10 property constituting property of the Estate, and provided a timeline for Trustee to present Debtor
11 with a list of items to remove or surrender.

12 On May 1, 2024, Trustee personally went to the Property and inspected the assets with
13 Debtor present. Trustee and Debtor discussed and agreed upon the extent of items which Trustee
14 would request to remain at the Property, and Trustee is informed that Debtor is agreeable to leave all
15 items in the home theater in place, including the audiovisual equipment (sound/speakers,
16 projector/screen, media devices) and reclining seats; and furthermore agrees that the fixtures at the
17 Property including specifically the refrigerator and stove shall not be removed. Other than those
18 items discussed between Debtor and Trustee to remain at the Property, Trustee does not intend on
19 objecting to Debtor’s claimed exemptions in personal property, and files this motion to abandon all
20 such items.

21 **3. Legal Argument**

22 **A. Abandonment of the Estate’s interest in substantially all personal** 23 **property at the Property is appropriate.**

24 “After notice and a hearing, the trustee may abandon any property of the estate that is
25 burdensome to the estate or that is of inconsequential value and benefit to the estate.” 11 U.S.C.
26 § 554(a). Property claimed as exempt remains property of the estate until such exemption claim
27 becomes final, at which point it becomes re-vested in the debtor. *See Mwangi v. Wells Fargo Bank,*

28 ///

1 *N.A. (In re Mwangi)*, 764 F.3d 1168, 1175-76 (9th Cir. 2014). California Code of Civil Procedure

2 § 704.020 provides an exemption for:

3 (a) Household furnishings, appliances, provisions, wearing apparel, and other personal effects
4 are exempt in the following cases:

5 (1) If ordinarily and reasonably necessary to, and personally used or procured for use by, the
6 judgment debtor and members of the judgment debtor's family at the judgment debtor's
7 principal place of residence.

8 (2) Where the judgment debtor and the judgment debtor's spouse live separate and apart, if
9 ordinarily and reasonably necessary to, and personally used or procured for use by, the
10 spouse and members of the spouse's family at the spouse's principal place of residence.

11 (b) In determining whether an item of property is "ordinarily and reasonably necessary" under
12 subdivision (a), the court shall take into account both of the following:

13 (1) The extent to which the particular type of item is ordinarily found in a household.

14 (2) Whether the particular item has extraordinary value as compared to the value of items of
15 the same type found in other households.

16 "California courts have held that 'in deciding whether furniture or wearing apparel is
17 necessary and should be exempted from execution the court will consider the station in life of the
18 owner and the manner of comfortable living to which he has become accustomed.'" *In re Lucas*, 77
19 B.R. 242, 245-46 (B.A.P. 9th Cir. 1987) (allowing the exemption in exercise equipment, golf clubs,
20 and cameras, and Hummel figurines). Specifically, the bankruptcy court in *In re Dunnaway*, 466
21 B.R. 515 (Bankr. E.D. Cal. 2012) found that the exemption under CCP § 704.020 was available for
22 household firearms. *But see In re Thornton*, 91 B.R. 913, 915-16 (Bankr. C.D. Cal. 1988)
23 (disallowing exemption in heirloom firearms).

24 After visiting the Property and surveying the Debtor's personal property, Trustee has
25 determined that the personal property located at the Property are of little or no value or benefit to the
26 Estate and its creditors. Trustee also does not believe that it is in the best interests of the Estate to
27 seek to value every item of personal property and seek a determination from the Court regarding
28 whether such item constitutes a household item. Trustee moves to abandon all personal property
including furniture, clothing, and other household goods located at the Property, with the exception
of the fixtures and personal property located inside the Property's home theater. The Debtor and

///

Trustee have agreed that other fixtures, including the refrigerator and stove, shall not be removed from the Property.

The Property has been marketed for sale and a Motion for Sale of the Property has been filed with the Court. The fixtures of the Property, including the refrigerator, stove, and the fixtures and personal property located in the home theater are included in the proposed sale of the Property.

B. In light of Debtor's stated arguments at the hearing on the Turnover Motion, a motion on negative notice is preferable to a notice only.

While Local Bankruptcy Rule 6007-1(a) provides that abandonment may be effectuated by a notice of intent to abandon, given the statements and arguments of Debtor's counsel at the hearing on the Turnover Motion on April 30, 2024, Trustee determined that filing this motion was preferable, to obtain an order of the Court and to provide clarity to all parties regarding what items were subject to abandonment.

4. Conclusion

For the reasons stated above, Trustee respectfully requests this Court enter an order:

1. Granting this Motion;
2. Authorizing Trustee to immediately abandon the Estate's interest in all tangible personal property located at the Property, with the express exception of all items in the home theater at the Property, and all fixtures, and immediately effectuating such abandonment upon entry of the order; and
3. For any such other and further relief that the Court deems just and proper.

Dated: May 7, 2024

MARSHACK HAYS WOOD LLP

By: /s/ Tinho Mang

D. EDWARD HAYS

TINHO MANG

Attorneys for Chapter 7 Trustee

ARTURO M. CISNEROS

Declaration of Arturo M. Cisneros

I, ARTURO M. CISNEROS, declare and state as follows:

1. I am the Chapter 7 trustee ("Trustee") for the bankruptcy estate ("Estate") of Shamicka Lawrence ("Debtor").

2. I am an individual over 18 years of age and competent to make this declaration.

3. I have personal knowledge of the matters set forth in this Declaration, and if called upon to do so I could and would competently testify to these facts.

4. On May 1, 2024, I visited 11364 Estates Court, Riverside, CA 92503 ("Property") and reviewed items of personal property with the Debtor present. I determined that the personal property located at the Property, with the exception of the fixtures and personal property in the home theater, are of little or no value to the benefit of the Estate and its creditors.

5. On May 1, 2024, the Debtor and I agreed that the fixtures, including the refrigerator and stove, will not be removed from the Property.

6. With the exception of the home theater items and other fixtures as discussed herein, I respectfully request that the Court enter an order authorizing me to abandon such items under 11 U.S.C. § 554.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 6, 2024.


ARTURO M. CISNEROS

Request for Judicial Notice

Arturo M. Cisneros, in his capacity as Chapter 7 Trustee (“Trustee”) of the Bankruptcy Estate (“Estate”) of Shamicka Lawrence (“Debtor”), hereby requests, pursuant to Federal Rule of Evidence 201, that this Court take judicial notice of the following documents:

EXHIBIT	JUDICIALLY NOTICED DOCUMENTS
1.	A true and correct copy of Debtor’s amended schedules is attached as Exhibit 1.
2.	A true and correct copy of the Turnover Order is attached as Exhibit 2.

Dated: May 7, 2024

MARSHACK HAYS WOOD LLP

By: /s/ Tinho Mang

D. EDWARD HAYS

TINHO MANG

Attorneys for Chapter 7 Trustee

ARTURO M. CISNEROS

Exhibit “1”

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY
Marc A. Lieberman 1875 Century Park East, Ste 2230 Los Angeles, CA 90087 (310) 284-7350 Fax: (310) 432-5999 157318 CA marc.lieberman@fipllp.com	
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for Debtor	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
In re: Shamicka Lawrence	CASE NO.: 6:23-bk-15163-WJ CHAPTER: 7
Debtor(s)	SUMMARY OF AMENDED SCHEDULES, MASTER MAILING LIST, AND/OR STATEMENTS [LBR 1007-1(c)]

A filing fee is required to amend Schedules D, or E/F (see Abbreviated Fee Schedule on the Court's website www.cacb.uscourts.gov). A supplemental master mailing list (do not repeat any creditors on the original) is also required as an attachment if creditors are being added to the Schedule D or E/F. Are one or more creditors being added? ☐ Yes ☒ No

The following schedules, master mailing list or statements (check all that apply) are being amended:

- ☒ Schedule A/B ☒ Schedule C ☐ Schedule D ☐ Schedule E/F ☐ Schedule G
☐ Schedule H ☐ Schedule I ☐ Schedule J ☐ Schedule J-2 ☐ Statement of Financial Affairs
☐ Statement About Your Social Security Number(s) ☐ Statement of Intentions ☐ Master Mailing List
☐ Other (specify) _____

I/we declare under penalty of perjury under the laws of the United States that the amended schedules, master mailing list, and/or statements are true and correct.

Date: April 18, 2024


Shamicka Lawrence
Debtor 1 Signature

Debtor 2 (Joint Debtor) Signature (if applicable) _____

NOTE: It is the responsibility of the Debtor, or the Debtor's attorney, to serve copies of all amendments on all creditors listed in this Summary of Amended Schedules, Master Mailing List, and/or Statements, and to complete and file the attached Proof of Service of Document.

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

December 2018

Page 1

F 1007-1.1.AMENDED.SUMMARY

Fill in this information to identify your case and this filing:

Debtor 1	Shamicka Lawrence		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	CENTRAL DISTRICT OF CALIFORNIA		
Case number	6:23-bk-15163-WJ		

☒ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1

Residence
11364 Estates Court

Street address, if available, or other description

Riverside CA 92503-0000
City State ZIP Code

Riverside
County

What is the property? Check all that apply

- ☒ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☒ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$1,300,000.00	\$650,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Co-tenancy (See attachment A/B)

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

136-050-035-9

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$650,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

Debtor 1 **Shamicka Lawrence**

Case number (if known) **6:23-bk-15163-WJ**

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☐ No

☒ Yes

3.1 Make: **Mercedes**

Model: **G-Wagon**

Year: **2021**

Approximate mileage: **17,198**

Other information:

**Co-owned with Coastal
Massage Oxnard Inc. which
made down payment.**

Who has an interest in the property? Check one

☐ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☒ At least one of the debtors and another

☐ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put
the amount of any secured claims on *Schedule D:
Creditors Who Have Claims Secured by Property.*

Current value of the
entire property?

\$120,000.00

Current value of the
portion you own?

\$60,000.00

3.2 Make: **Tesla**

Model: **X**

Year: **2022**

Approximate mileage: **15,150**

Other information:

**Down payment and monthly
payments made by Coastal
Massage Oxnard, Inc.**

Who has an interest in the property? Check one

☐ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☒ At least one of the debtors and another

☐ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put
the amount of any secured claims on *Schedule D:
Creditors Who Have Claims Secured by Property.*

Current value of the
entire property?

\$80,000.00

Current value of the
portion you own?

\$40,000.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No

☐ Yes

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for
pages you have attached for Part 2. Write that number here.....=>

\$100,000.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the
portion you own?
Do not deduct secured
claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No

☒ Yes. Describe.....

Misc. household goods and furnishings.

\$10,000.00

7. Electronics

*Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices
including cell phones, cameras, media players, games*

☐ No

☒ Yes. Describe.....

Television, computer, printer and cellphone.

\$2,500.00

8. Collectibles of value

*Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections;
other collections, memorabilia, collectibles*

☒ No

Debtor 1 Shamicka Lawrence

Case number (if known) 6:23-bk-15163-WJ

☐ Yes. Describe.....

9. **Equipment for sports and hobbies**

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No

☒ Yes. Describe.....

Exercise equipment, including bicycle and elliptical.

\$2,000.00

10. **Firearms**

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☐ No

☒ Yes. Describe.....

Miscellaneous firearms.

\$1,400.00

11. **Clothes**

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.....

Women's everyday clothing, shoes and purses.

\$5,000.00

12. **Jewelry**

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe.....

Rings, bracelets, watch, necklaces (itemization on request).

\$4,500.00

13. **Non-farm animals**

Examples: Dogs, cats, birds, horses

☐ No

☒ Yes. Describe.....

2 rescued dogs (Bob & Checha)

\$1.00

14. **Any other personal and household items you did not already list, including any health aids you did not list**

☒ No

☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$25,401.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

**Current value of the
portion you own?
Do not deduct secured
claims or exemptions.**

16. **Cash**

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No

☒ Yes.....

Debtor 1 Shamicka Lawrence

Case number (if known) 6:23-bk-15163-WJ

Cash \$0.00

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No

☒ Yes.....

Institution name:

17.1. Checking Navy Federal Bank Acct. No. 0991 \$0.00

17.2. Checking Bank of America Acct. No. 4024 \$486.00

17.3. Brokerage UBS Bank Acct. No. 5650 \$1,136.58

17.4. Savings Navy Federal Bank Acct. No. 8957 \$5.01

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

See attachment No. 19 % \$0.00

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each account separately.

Type of account:

Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes.....

Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

Debtor 1 Shamicka Lawrence Case number (if known) 6:23-bk-15163-WJ

☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☒ No

☐ Yes. Give specific information about them...

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

**Current value of the
portion you own?
Do not deduct secured
claims or exemptions.**

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☐ No

☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:

The Equitable Life Insurance Company

Children

\$2,500.00

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No

☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No

☐ Yes. Describe each claim.....

Debtor 1 Shamicka Lawrence

Case number (if known) 6:23-bk-15163-WJ

35. Any financial assets you did not already list

☐ No

☒ Yes. Give specific information..

Debtor has personally guaranteed certain obligations of her limited liability companies and corporations (the "Entities"). As guarantor, she has indemnity rights against the Entities. However, each of the Entities is insolvent such that her indemnity rights have no value.

\$0.00

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$4,127.59

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.

☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☒ No

☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2		<u>\$650,000.00</u>
56. Part 2: Total vehicles, line 5	<u>\$100,000.00</u>	
57. Part 3: Total personal and household items, line 15	<u>\$25,401.00</u>	
58. Part 4: Total financial assets, line 36	<u>\$4,127.59</u>	
59. Part 5: Total business-related property, line 45	<u>\$0.00</u>	
60. Part 6: Total farm- and fishing-related property, line 52	<u>\$0.00</u>	
61. Part 7: Total other property not listed, line 54	+ <u>\$0.00</u>	
62. Total personal property. Add lines 56 through 61...	<u>\$129,528.59</u>	Copy personal property total <u>\$129,528.59</u>
63. Total of all property on Schedule A/B. Add line 55 + line 62		<u>\$779,528.59</u>

Fill in this information to identify your case:			
Debtor 1	Shamicka Lawrence		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	CENTRAL DISTRICT OF CALIFORNIA		
Case number (if known)	6:23-bk-15163-WJ		

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/22

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? *Check one only, even if your spouse is filing with you.*

☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <small>Copy the value from <i>Schedule A/B</i></small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Residence 11364 Estates Court Riverside, CA 92503 Riverside County 136-050-035-9 Line from <i>Schedule A/B</i> : 1.1	\$650,000.00	<input checked="" type="checkbox"/> \$635,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.730
2021 Mercedes G-Wagon 17,198 miles Co-owned with Coastal Massage Oxnard Inc. which made down payment. Line from <i>Schedule A/B</i> : 3.1	\$60,000.00	<input checked="" type="checkbox"/> \$7,500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.010
Misc. household goods and furnishings. Line from <i>Schedule A/B</i> : 6.1	\$10,000.00	<input checked="" type="checkbox"/> \$10,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Television, computer, printer and cellphone. Line from <i>Schedule A/B</i> : 7.1	\$2,500.00	<input checked="" type="checkbox"/> \$2,500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020

Debtor 1 **Shamicka Lawrence**

Case number (if known) **6:23-bk-15163-WJ**

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim <i>Check only one box for each exemption.</i>	Specific laws that allow exemption
Exercise equipment, including bicycle and elliptical. Line from <i>Schedule A/B</i> : 9.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Miscellaneous firearms. Line from <i>Schedule A/B</i> : 10.1	\$1,400.00	<input checked="" type="checkbox"/> \$1,400.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Women's everyday clothing, shoes and purses. Line from <i>Schedule A/B</i> : 11.1	\$5,000.00	<input checked="" type="checkbox"/> \$5,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Rings, bracelets, watch, necklaces (itemization on request). Line from <i>Schedule A/B</i> : 12.1	\$4,500.00	<input checked="" type="checkbox"/> \$4,500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.040
Checking: Bank of America Acct. No. 4024 Line from <i>Schedule A/B</i> : 17.2	\$486.00	<input checked="" type="checkbox"/> \$486.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.225
Brokerage: UBS Bank Acct. No. 5650 Line from <i>Schedule A/B</i> : 17.3	\$1,136.58	<input checked="" type="checkbox"/> \$1,136.58 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.225
Savings: Navy Federal Bank Acct. No. 8957 Line from <i>Schedule A/B</i> : 17.4	\$5.01	<input checked="" type="checkbox"/> \$5.01 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.225

3. Are you claiming a homestead exemption of more than \$189,050?
(Subject to adjustment on 4/01/25 and every 3 years after that for cases filed on or after the date of adjustment.)
- ☐ No
- ☒ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☒ No
- ☐ Yes

In re Shamicka Lawrence

Case No. 6:23-bk-15163-WJ

Attachment to Amended Schedule C

Debtor's Schedule "C" is being amended at the insistence of the Chapter 7 trustee, who has demanded that Debtor state a dollar amount for each category exempt property, even though applicable law places no dollar limit on certain categories of exempt property. See, e.g., CCP §704.020. The only material difference between Debtor's original Schedule "C" and this amended Schedule "C" is that Debtor has stated the amount of her homestead to be \$635,000 rather than \$600,000.

With respect to categories of exemptions marked "estimated," the amounts listed are Debtor's best estimate of value and not a representation or warranty of the actual collective value of such items in that category. Debtor has provided to the trustee photos of items exempted under CCP § 704.030 and the trustee's agent has inspected and video recorded the items exempted under CCP § 704.020.

Debtor declares that, as to the items exempt pursuant to CCP § 704.020 (her household furnishings, appliances, provisions, wearing apparel and other personal effects):

1. Are all ordinarily and reasonably necessary to, and personally used or procured for use by her and/or the members of her family at her principal residence.
2. All are ordinarily found in households.
3. None are of extraordinary value as compared to items of the same type found in other households.
4. No particular item has a value of more than approximately \$1,200, which is the value Debtor ascribes to her most expensive piece of furniture (a sofa which she purchased new for about \$4,000) and her exercise bicycle (which she purchased new for about \$2,500).

Debtor estimates that the items she has exempted pursuant to CCP § 704.030 (her jewelry, heirlooms, and works of art) have a collective value of about \$4,500. However, Debtor reserves the right to claim up to the full statutory limit (\$8,725) if her estimate is mistaken and the collective value of such the collective value turns out to be higher.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

FLP LAW GROUP, LLP, 1875 Century Park East, Suite 2230, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **SUMMARY OF AMENDED SCHEDULES, MASTER MAILING LIST, AND/OR STATEMENTS [LBR 1007-1(c)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

I. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 18, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com
- **Alan W Forsley** alan.forsley@flpllp.com, awf@fklawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
- **Thomas M Geher** tmng@jmbm.com, bt@jmbm.com;tmng@ecf.courtdrive.com
- **Eric D Goldberg** eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@marshackhays.com;cmendoza@ecf.courtdrive.com
- **Marc A Lieberman** marc.lieberman@flpllp.com, safaleem@flpllp.com,addy@flpllp.com
- **Tinho Mang** tmang@marshackhays.com, tmang@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- **United States Trustee (RS)** ustpreion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

II. **SERVED BY UNITED STATES MAIL:**

On **April 18, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

III. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 18, 2024
Date

ADELAIDA HERNANDEZ
Printed Name

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Case 6:23-bk-15163-WJ Doc 71 Filed 04/18/24 Entered 04/18/24 11:02:09 Desc
Main Document Page 12 of 15

Label Matrix for local noticing
0973-6
Case 6:23-bk-15163-WJ
Central District of California
Riverside
Wed Apr 17 09:42:41 PDT 2024

14652-8 Ventura, LLC
17245 Luverne Pl.
Encino, CA 91316-3933

ADT - Attn. Bankruptcy
1501 W. Yamato Rd.
Boca Raton, FL 33431-4438

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Bank of America, N.A.
PO Box 15168
Wilmington, DE 19850-5168

Bridgeport Marketplace, LLC
25134 Rye Canyon Loop, #300
Valencia, CA 91355-5031

Capital One N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

(p)OFFICE OF FINANCE CITY OF LOS ANGELES
200 N SPRING ST RM 101 CITY HALL
LOS ANGELES CA 90012-3224

Coastal Massage Oxnard, Inc.
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Donahue Schriber Realty Group, L.P.
200 E. Baker St., Suite 100
Costa Mesa, CA 92626-4551

Bahn Fife & Company
1055 E. Colorado Blvd #5
Pasadena, CA 91106-2371

14652-8 Ventura, LLC
Attn: Row Zadeh
14652 Ventura Blvd.
Los Angeles, CA 91403-3686

AT&T
PO Box 5014
Carol Stream, IL 60197-5014

Aqua Clear, Inc.
1235 Flynn Rd. #408
Camarillo, CA 93012-6214

Beauchamp Family LLC
10700 Santa Monica Blvd., Suite 215
Los Angeles, CA 90025-6588

Bridgeport Marketplace, LLC
Attn: Dale Donohoe
28338 Constellation Road, Suite 900
Valencia, CA 91355-5098

Capital One/Neiman Marcus/
Bergdorf Goodm
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

City of Ventura
Business Tax Office
501 Poli St., Rm 107
Ventura, CA 93001-2632

Coastal Massage Ventura Inc.
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Eleven Eight, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

5077 Lankershim Health
Associates, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

American Express
c/o Becket and Lee
Po Box 3001
Malvern, PA 19355-0701

Avalon Bay Communities, Inc.
PO Box 215568
Tampa, FL 33622

Beautiful Girls, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Coastal Massage Channel Islands
Harbor, Inc.
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

County of Los Angeles
Dept. of Treasurer & Tax Collector
PO Box 514818
Los Angeles, CA 90051-4818

Essex
PO Box 82752
Goleta, CA 93118-2681

Case 6:23-bk-15163-WJ Doc 71 Filed 04/18/24 Entered 04/18/24 11:02:09 Desc
Main Document Page 13 of 15

Essex Monarch Santa Monica
Apartments, L.P.
1100 Park Pl., Ste. 200
San Mateo, CA 94403-7107

Faith Page LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Frontier
PO Box 211579
Eagan, MN 55121-2879

Glen March
1 Century Dr., #32A
Los Angeles, CA 90067-3413

Golden Spectrum Property LLC
c/o Shin Yen Management Inc.
Attn: Brian Ho
3808 Grand Ave., Suite B
Chino, CA 91710-5496

Golden Spectrum Property, LLC
4016 Grand ave., Suite B
Chino, CA 91710-5491

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz, Schneid,
& Crane LLP
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487-2853

Jamie Altman Buggy
Harvest LLP
10940 Wilshire Blvd., Suite 1600
Los Angeles, CA 90024-3910

Jeffrey D. Montez, Esq.
Bower & Associates, APLC
PO Box 11748
Newport Beach, CA 92658-5040

Joyful Wellness, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Joyfully Gifted, Inc.
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Kenneth J. Freed, Esq.
Law Offices of Kenneth J. Freed
4340 Fulton Ave, Floor 3
Sherman Oaks CA 91423-6262

Lawrence Girls, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

Lumen/Cenury Link
PO Box 52187
Phoenix, AZ 85072-2187

Macerich Buenaventura L.P.
401 Wilshire Blvd., Suite 700
Santa Monica, CA 90401-1452

Massage Envy Franchising, LLC
14350 N. 87th Street
Suite 200
Scottsdale, AZ 85260-2660

Massage Envy Franchising, LLC
Agent for Service of Process
3260 N. Hayden Rd #210
Scottsdale AZ 85251-6651

Mercedes - Benz Financial Services
Attn: Bankruptcy
P.O. Box 685
Roanoke, TX 76262-0685

Na Shaun Neal
3756 Santa Rosalia Dr., Suite 326
Los Angeles, CA 90008-3615

Navy Federal Credit Union
Attn: Bankruptcy
Po Box 3000
Merrifield, VA 22119-3000

Navy Federal Credit Union
P.O. Box 3000
Merrifield, VA 22119-3000

ROIC California LLC
MS 631099
PO Box 3953
Seattle, WA 98124-3953

ROIC California, LLC
c/o Merino Yebri LLP
1925 Century Park E Ste 2100
Los Angeles, CA 90067-2722

Regus
11801 Pierce Street
Suite 200
Riverside, CA 92505-4400

SOCM I, LLC
655 Brea Canyon Rd.
Walnut, CA 91789-3078

Safe and Sound Security
18545 Topham Street
Unit G
Reseda, CA 91335-6880

Sam Yebri, Esq.
Alexander M. Merino, Esq.
Merino Yebri LLP
1925 Century Park East, Suite 2100
Los Angeles, CA 90067-2722

Simi Gold Center
292 S. La Cienega Blvd., #3308
Beverly Hills, CA 90211-3330

Simi Gold Center
6006 Reseda Blvd.
Tarzana, CA 91356-1507

Siria Amador
c/o Nick Badii, Esq.
Lawyers for Employee &
Consumer Rights APC
3500 W. Olive Ave., 3rd Floor
Burbank, CA 91505-4628

Case 6:23-bk-15163-WJ Doc 71 Filed 04/18/24 Entered 04/18/24 11:02:09 Desc
Main Document Page 14 of 15

Small Business Administration
409 3rd Street SW
Washington, DC 20024-3212

Southern Cal Gas
PO Box C
Monterey Park, CA 91754-0932

Spectrio
PO Box 890271
Charlotte, NC 28289-0271

Strategem Investments, LLC
410 S. Juanita Avenue
Redondo Beach, CA 90277-3824

The Collection at Riverpark
Centercal Properties, LLC
2751 Park View Court, Suite 261
Oxnard, CA 93036-5451

The Darvish Firm, APC
10990 Wilshire Boulevard
Suite 800
Los Angeles, CA 90024-3931

Trinity Fifteen, LLC
11801 Pierce St.
Riverside, CA 92505-5191

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

U.S. Small Business Administration/CESC
14925 Kingsport Road
Ft. Worth, TX 76155-2243

Ventura County Tax Collector
Attn: Bankruptcy
800 S. Victoria Ave.
Ventura, CA 93009-1290

West Coast Baby, LLC
11801 Pierce St., Suite 200
Riverside, CA 92505-4400

World Pay Merchant Services
PO Box 639726
Cincinnati, OH 45263-9726

Brian Thompson
Winterstone Real Estate Development
23792 Rockfield Blvd., Ste. 101
Lake Forest, CA 92630-2868

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Capital One N.A
Bankruptcy Department
P.O. Box 5155
Norcross, GA 30091

Chase Card Services
Attn: Bankruptcy
P.O. 15298
Wilmington, DE 19850

City of Los Angeles
Office of Finance
PO Box 53233
Los Angeles, CA 90053-0233

(d)City of Los Angeles
Office of Financial Special Desk Unit
200 N. Spring St., Rm 101
Los Angeles, CA 90012

U.S. Bank
PO Box 2188
Oshkosh, WI 54903

Arturo Cisneros (TR)
3403 Tenth Street, Suite 714
Riverside, CA 92501

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Courtesy NEF

(u)Massage Envy Franchising, LLC

End of Label Matrix	
Mailable recipients	76
Bypassed recipients	2
Total	78

Exhibit “2”

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 TINHO MANG, #322146
tmang@marshackhays.com
3 MARSHACK HAYS WOOD LLP
4 870 Roosevelt
Irvine, California 92620
5 Telephone: (949) 333-7777
Facsimile: (949) 333-7778

6 Attorneys for Chapter 7 Trustee,
7 ARTURO M. CISNEROS

FILED & ENTERED

MAY 01 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY gooch DEPUTY CLERK

8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 RIVERSIDE DIVISION

11
12 In re:
13 SHAMICKA LAWRENCE,
14 Debtor.

Case No. 6:23-bk-15163-WJ
CHAPTER 7

**ORDER GRANTING CHAPTER 7
TRUSTEE'S MOTION TO COMPEL
TURNOVER OF REAL PROPERTY**

Hearing:

Date: April 30, 2024
Time: 1:00 p.m.
Ctrm: 304

1 On April 30, 2024, at 1:00 p.m., the Court conducted a hearing regarding the motion of
2 Arturo M. Cisneros, the chapter 7 trustee ("Trustee") for the bankruptcy estate of Shamicka
3 Lawrence ("Debtor"), filed on April 9, 2024 as docket #61 ("Motion") seeking an order compelling
4 turnover of the real property commonly known as 11364 Estates Court, Riverside, CA. Marc
5 Lieberman appeared on behalf of the Debtor. Tinho Mang appeared on behalf of the Trustee, who
6 was also present in the courtroom.

7 The Court having read and considered the Motion, the opposition and declarations filed by
8 the debtor [docket #70], the Trustee's reply [docket #72], the statements and arguments on the
9 record and good cause appearing, hereby ORDERS as follows:

10 1. The Motion is granted as modified on the record. The Debtor shall vacate the real
11 property commonly known as 11364 Estates Court, Riverside, CA ("Property") no later than
12 May 31, 2024. The Property shall be left in broom-swept condition. The Debtor shall remove from
13 the Property all occupants, all personal property, rubbish, and debris except as provided herein.
14 Debtor shall not remove any fixtures from the Property.

15 2. The Trustee has the right to possession of any and all items of personal property
16 constituting property of the estate, irrespective of any claim of exemption on such assets. By May 7,
17 2024, the Trustee may provide to the Debtor a written list of items which shall be turned over to the
18 Trustee, in one of the following methods (a) the Debtor may leave such items at the Property when
19 she vacates the Property or (b) the Debtor may surrender possession of such items to the Trustee. If
20 the Trustee agrees in writing to some other method of turnover, the Debtor may effectuate such
21 agreed-upon method of turnover.


22 3. This order is enforceable pursuant to Local Bankruptcy Rule 7064-1(e). If the Debtor
23 fails to vacate the Property by May 31, 2024, the United States Marshals Service is authorized to
24 effectuate an eviction of the Debtor and deliver possession of the Property to Trustee or his agents.
25 The Trustee is entitled to seek enforcement of this order by issuance of a writ of assistance to the
26 Marshals.

1 4. The United States Marshals Service is directed to assist the Trustee to enforce this
2 order awarding possession. The Trustee and his authorized agent(s) will act as substitute custodian
3 of any and all items of personal property seized pursuant to this order and the U.S. Marshal shall
4 have no liability arising from any acts, incidents, or occurrences in connection with the seizure of the
5 personal property located at the subject real property arising in the ordinary authorized scope of
6 duties of the U.S. Marshal (which acts do not include acts arising from negligent or intentional
7 tortious conduct), including any third party claims and the U.S. Marshal shall be discharged of his or
8 her duties and responsibilities for safekeeping of the seized goods. The U.S. Marshal accomplishing
9 such eviction or seizure shall use whatever reasonable force necessary to break open and enter the
10 subject real property regardless of whether the premises or location is locked or unlocked, occupied
11 or unoccupied and to inspect the contents of any room, closet, cabinet, vehicle, container, desk or
12 documents. Anyone interfering with the execution of this order is subject to arrest by law
13 enforcement officials.

14 IT IS SO ORDERED.

15 ###

16
17
18
19
20
21
22
23
24 Date: May 1, 2024

25 
26 Wayne Johnson
27 United States Bankruptcy Judge
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **TRUSTEE'S MOTION TO ABANDON ESTATE'S INTEREST IN TANGIBLE PERSONAL PROPERTY ASSETS LOCATED AT 11364 ESTATES COURT, RIVERSIDE, CA 92503; DECLARATION OF ARTURO M. CISNEROS** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 7, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **May 7, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR

SHAMICKA LAWRENCE
11364 ESTATES COURT
RIVERSIDE, CA 92503-0639

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 7, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA OVERNIGHT MAIL:

HONORABLE WAYNE JOHNSON
UNITED STATES BANKRUPTCY COURT
3420 Twelfth Street, Suite 384 / Courtroom 304
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 7, 2024
Date

Chanel Mendoza
Printed Name

/s/ Chanel Mendoza
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- **TRUSTEE: Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com
- **INTERESTED PARTY COURTESY NEF: Alan W Forsley** alan.forsley@flpllp.com, awf@fkllawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
- **ATTORNEY FOR LAWRENCE CHILDREN'S TRUST UTA MAY 6, 2014: Thomas M Geher** tmg@jmbm.com, bt@jmbm.com;tmg@ecf.courtdrive.com
- **ATTORNEY FOR INTERESTED PARTY MESSAGE ENFY FRANCHISING: Eric D Goldberg** eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **ATTORNEY FOR TRUSTEE: D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@marshackhays.com;cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR DEBTOR: Marc A Lieberman** marc.lieberman@flpllp.com, safa.saleem@flpllp.com,addy@flpllp.com
- **ATTORNEY FOR TRUSTEE: Tinho Mang** tmang@marshackhays.com, tmang@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- **U.S. TRUSTEE: United States Trustee (RS)** ustpreion16.rs.ecf@usdoj.gov